REMARKS

Claims 1-28 are pending in this application. By this Amendment, claims 2-25 and 27 are amended to address formality issues. Claim 25 is also amended to address the rejection under 35 U.S.C. §101 as discussed below. Claim 28 is added.

No new matter is added to the application by this Amendment. Support for the amendment to claim 22 may be found at page 4, lines 5-8. Support for the amendment to claim 25 and new claim 28 may be found at page 4, lines 15-26.

Reconsideration of the application is respectfully requested.

I. Rejection under 35 U.S.C. §112

Claims 18, 21, 22 and 25-27 are rejected under 35 U.S.C. §112, second paragraph, for allegedly being indefinite. This rejection is respectfully traversed.

Claim 18 is amended to remove the word "type" from the language of the claim; claim 21 is amended to remove the phrase "or a mixture of these" from the language of the claim; claim 22 is amended to replace "dipersant" with "thickener"; and claims 25-27 are amended to recite a method of stripping.

With respect to claim 21, Applicant confirms that the recited thickener is an ester and not an ether as suggested by the Patent Office.

It is respectfully submitted that the claims are clear. Reconsideration and withdrawal of the rejection are respectfully requested.

II. Rejection under 35 U.S.C. §101

Claims 25-27 are rejected under 35 U.S.C. §101 as allegedly reciting a use without setting forth any steps involved in the process. This rejection is respectfully traversed.

Claims 25-27 are amended to overcome the rejection. More specifically, these claims are amended to recite a method of stripping. Applicant respectfully requests withdrawal of the rejection.

III. Rejection under 35 U.S.C. §103

A. Olson et al.

Claims 1, 23 and 25 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 6,472,027 to Olson et al. This rejection is respectfully traversed.

Applicant submits that nowhere does Olson et al. teach or suggest a stripping composition having, as an active ingredient, at least benzyl acetate, and a solvent chosen from methoxypropyl acetate, diacetone alcohol, methyl ethyl ketone, isophorone and the mixture of these as recited in claim 1. Moreover, Applicant submits that nowhere does Olson et al. teach or suggest a method for stripping having the steps of obtaining a stripping composition wherein the stripping composition has benzyl acetate as active ingredient and scrapping the material to be stripped as recited in claim 25.

Olson et al. merely teaches a stripping composition intended to remove a UV curable floor finish from a floor, the composition comprising a polar solvent, one (among many) of which may be benzyl acetate, and an optional less dense polar solvent that may include (among many) diacetone alcohol, isophorone and methyl ethyl ketone (see col. 1, lines 60-65).

Nothing in Olson et al. would have directed one of ordinary skill in the art to a stripping composition with the combination of components as claimed. Olson et al. merely indicates a variety of possible solvents; however, Olson et al. does not teach or suggest the specific combination recited in claim 1.

The claims of the application define a stripping composition for selectively removing a layer of a substratum that is directly removed from the substratum or removed from another layer coating the substratum. As described at page 2, lines 15-32 of the specification, the stripping process with the stripping composition selectively removes the layer without damaging the substratum or the other layer coating the substratum. Further, as set forth at page 4, lines 15-26, the stripping process with the stripping composition is characterized by an exfoliation of the layer to be removed that is visible by formation of blisters and/or chipping of the layer. Therefore, the stripping composition defined in the claims is not a solvent composition that dissolves a coating to be removed as in Olson et al.

Further, Olson et al. teaches that the stripping composition is intended to dissolve an exterior layer from another layer, col. 1, lines 65-67 and col. 2, lines 1 and 2). As described at page 4, lines 24-26 of the present specification, the claimed stripping composition selectively strips debris away from the coating or coatings and must be scraped off with a spatula.

Additionally, Olson et al. merely teaches a stripping composition that is aqueous, containing at least 80% water and being inhomogeneous, (col. 7, lines 41-52 and Abstract). The claimed stripping composition must be devoid of water. An extrapolation of the teaching of Olson et al. leads to an inhomogeneous composition that may contain benzyl acetate as a polar solvent, which is not miscible with water, and diacetone alcohol as a less polar solvent, and which is miscible with water alone. The stripping composition defined in the present claims has benzyl acetate that acts concomitantly with at least one of methoxypropyl acetate, diacetone alcohol, methyl ethyl ketone, and/or isophorone, evidencing a distinct process.

Further, Olson et al. teaches a stripping composition that diffuses through and softens the finish layer, which is then removed by mopping, (col. 6, lines 45-63). However, as described at page 4, lines 20-26 of the present specification, the stripping composition defined

herein removes a layer that is thicker than a finish layer and which is remove by scraping the layer from the substratum.

Still further, Olson et al. teaches a stripping composition which is intended to be used on a flat substratum, such as, a floor. As set forth in page 4, lines 15-23 of the present specification, the stripping composition defined in the present claims is not limited to a flat substratum and/or is particularly intended for a vertical substratum, which may be applied to the layer to be removed and left on the layer for up to 48 hours, without a risk of the composition drying.

As set forth above, the Patent Office admits that Olson et al. does not teach or suggest a stripper composition comprising benzyl acetate and at least one of diacetone alcohol, isophorone and methyl ethyl ketone. Applicant submits that the differences between the teachings of Olson et al. and the present stripping composition, as outlined above, along with the admissions of the Patent Office, are evidence of a distinct stripping composition and stripping process.

Moreover, Applicant submits that the stripping composition defined herein results in a synergistic combination that could not be deduced from the teachings of Olson et al. because the same effect could not be obtained with the solvents taught in Olson et al. Furthermore, nothing in Olson et al. would have suggested to one of ordinary skill in the art that, by incorporating at least benzyl acetate, as an active ingredient, and a solvent chosen from methoxypropyl acetate, diacetone alcohol, methyl ethyl ketone, isophorone and mixtures of these, the stripping composition recited in the present claims 1 and 25 would have been achieved. Additionally, Applicant submits that one of ordinary skill in the art would not have looked to the teachings of Olson et al. to achieve the stripping composition and the method for stripping recited in claims 1 and 25, respectively.

Since Olson et al. fails to teach or suggest each and every feature as claimed, the claims are patentably distinct over the reference. Accordingly, reconsideration and withdrawal of the rejection of the claims relying upon Olson et al. are respectfully requested.

B. Takayanagi et al.

Claims 1-6, 17 and 25 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 5,612,303 to Takayanagi et al. This rejection is respectfully traversed.

Applicant submits that nowhere does Takayanagi et al. teach or suggest a stripping composition having, as active ingredient, at least benzyl acetate, and a solvent chosen from methoxypropyl acetate, diacetone alcohol, methyl ethyl ketone, isophorone and the mixture of these as recited in claim 1. Further, Applicant submits that nowhere does Takayanagi et al. teach or suggest a method for stripping having the steps of obtaining a stripping composition wherein the stripping composition has benzyl acetate as active ingredient and scraping the material to be stripped as recited in claim 25.

Takayanagi et al. merely teaches a solvent composition for use as a solvent in paints, varnishes, coatings, adhesives and printing inks, col. 1, lines 8-12. Further, Takayanagi et al. teaches a solvent composition that is useful as a degreasing agent, an ink remover, a flux remover, a liquid crystal cell cleaner or a resist stripper. Still further, Takayanagi et al. teaches that a combined use of the organic solvent or water makes it possible to appropriately improve or modify the cleaning properties, safety, ease in handling, and the like of the solvent composition.

The Patent Office admits that Takayanagi et al. does not teach or suggest a solvent composition comprising benzyl acetate and at least one of diacetone alcohol, isophorone and methyl ethyl ketone, N-methyl pyrrolidone or dimethyl sulfoxide in the recited amounts. Nowhere does Takayanagi et al. even remotely teach or suggest a stripping composition as

recited in claims 1 and 25. Specifically, although Takayanagi et al. may mention components of the stripping composition, nowhere does Takayanagi et al. teach or suggest the specific combination of components recited in claim 1. Nothing in Takayanagi et al. teaches or suggests that the separate components of claim 1 should be selected for use together in Takayanagi et al.

Additionally, nothing in Takayanagi et al. would have suggested to one of ordinary skill in the art that, by incorporating, at least benzyl acetate, as an active ingredient, and a solvent chosen from methoxypropyl acetate, diacetone alcohol, methyl ethyl ketone, isophorone and the mixture of these, the stripping composition recited in claim 1 would have been achieved.

Nothing in Takayanagi et al. would have suggested to one of ordinary skill in the art that, by incorporating, at least benzyl acetate into a stripping composition, the a method for stripping recited in claim 25 would have been achieved.

Additionally, Applicant submits that one of ordinary skill in the art would not have looked to the teachings of Takayanagi et al. to achieve the stripping composition and the method for stripping recited in claims 1 and 25, respectfully. Thus, Takayanagi et al. would not have led one of ordinary skill in the art to the present claims.

Since Takayanagi et al. fails to teach or suggest each and every feature as claimed, the claims are patentably distinct over the reference. Accordingly, reconsideration and withdrawal of the rejection of the claims under 35 U.S.C. §103(a) are respectfully requested.

C. **Lallier et al. in view of Olson et al. or Takayanagi et al.**

Claims 1-22, 24 and 25 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 6,656,896 to Lallier et al. in view of Olson et al. or Takayanagi et al. This rejection is respectfully traversed.

Applicant submits that none of Lallier et al., Olson et al. and Takayanagi et al., taken singly or in combination, teaches or suggests a stripping composition having, as active ingredient, at least benzyl acetate, and a solvent chosen from methoxypropyl acetate, diacetone alcohol, methyl ethyl ketone, isophorone and the mixture of these as recited in claim 1. Moreover, Applicant submits that none of Lallier et al., Olson et al. and Takayanagi et al., taken singly or in combination, teach or suggest a method for stripping having the steps of obtaining a stripping composition wherein the stripping composition has benzyl acetate as active ingredient and scrapping the material to be stripped as recited in claim 25.

Lallier et al. teaches a first generation stripping composition suitable for stripping external organic coatings, such as exterior waterproof coatings and thin films. This first generation stripping composition is a replacement to chlorinated stripping compositions. However this first generation stripping composition is not an effective stripping composition. Further, Lallier et al. teaches that the stripping composition contains at least one dibasic ester, at least one dipolar aprotic solvent, at least one cosolvent selected from monoalkoxybenzenes, such as anisole and phenetole, and softening agents.

Applicant asserts that there is no motivation or suggestion in the references to make the combination as alleged by the Patent Office. Nowhere does Olson et al. or Takayanagi et al., taken singly or in combination, indicate that utilizing benzyl acetate as an active ingredient in a stripping composition would produce benefits as described in the present specification. Since Olson et al. or Takayanagi et al. merely mentions benzyl acetate as one solvent among many possible solvents, nothing within the teachings of Olson et al. and Takayanagi et al, taken singly or in combination, would have led one of ordinary skill in the art to select benzyl acetate from these compositions for use in Lallier et al. Additionally, Lallier et al. does not indicate that benzyl acetate would be needed as a solvent therein for any reason. Further, nothing in the references cited by the Patent Office, taken singly or in

combination, teaches or suggests a stripping composition and method for stripping as specifically claimed.

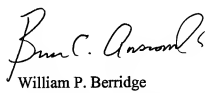
Because none of Lallier et al., Olson et al. and Takayanagi et al., taken singly or in combination, teach or suggest each and every feature as claimed, the claims are patentably distinct over the references. Accordingly, reconsideration and withdrawal of the rejection of the claims under 35 U.S.C. §103(a) are respectfully requested.

IV. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-28 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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